

REMARKS/ARGUMENTS

1.) Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 1-4, 6-15 and 17-19 under 35 U.S.C. § 103(a) as being unpatentable over Arroyo, et al. (US 2003/0221024) in view of Jacobson (US 7,020,598). Applicants have amended independent claims 1 and 12 to better distinguish the present invention from Arroyo and Jacobson and claims 14 and 17 have been canceled.

Claim 1 now provides:

A platform system comprising:
a software services component comprising at least one functional software unit;
a hardware component comprising at least one hardware unit associated with the at least one functional software unit; and
a software interface component comprising at least one software interface and *a mobile-terminal application software for testing the mobile terminal*, the software interface component being adapted to provide access by the mobile-terminal application software to the software services component and the hardware component during testing of a mobile terminal and during a lifecycle of the mobile terminal;
the software interface component being adapted to isolate the hardware component and software services component from user applications;
the mobile-terminal application software being adapted to detect failures in the hardware component; and
wherein *a code space occupied by the mobile-terminal application software is overwritten by user applications after the testing of the mobile terminal has been completed.*

Arroyo discloses an architecture consisting of a hardware component, a software component, a software interface component and application software. However, Arroyo fails to disclose or suggest *a mobile-terminal application software for testing the mobile terminal* which is later replaced by other application software. Further, Arroyo fails to disclose or suggest *a mobile-terminal application software being adapted to detect failures in the hardware component*. Similar claim limitations are included in amended claim 12.

Jacobson also fails to disclose or suggest the foregoing limitations. The diagnostics method and system proposed by Jacobson is only adapted to identify and correct software faults. This is explained in a number of places throughout Jacobson as follows:

Jacobson Abstract: "A system and method for diagnosing a software system ...and recommends corrective measure for the *software* system."

Jacobson, Column 1, lines 7 to 11: "... diagnosing software components of a remote electronic device and repairing *defective software* over a network."

Jacobson, Column 2, lines 17 to 29: "... a process of diagnosing a *software system* ... to diagnose defects in the software system."

Also see Jacobson, Column 12, lines 43 to 67; column 13, lines 1 to 14; and column 14, lines 58 to 67 wherein reference is made solely to software related faults.

Jacobson does refer to *reconfiguring* hardware components:

Jacobson, Column 15, lines 1 to 13: "In another embodiment, ... can perform both hardware and software diagnostics and *reconfiguration* as described above ... causing the electronic device to reconfigure characteristics of a hardware component therein to affect the operation of the software system. ... (e.g. increase clock speed)..."

Jacobson, Column 17, lines 7 to 11: "... reconfiguration control software includes logic for *reconfiguring* operational characteristics or a hardware component within the electronic device ..."

But Jacobson does not disclose nor suggest *a mobile-terminal application software being adapted to detect failures in the hardware component.*

The present system and method is used for detecting hardware failures during the manufacturing process. The hardware can present failures due to a number of reasons, e.g. quality problems in the printed circuit board, faulty components, and problems when placing and soldering the components on the circuit board. These problems will often result in a non-working mobile terminal, even though the software is properly functioning. Thus it is important to detect such faulty hardware during production and during the life cycle of the mobile terminal. The new limitations of claims 1 and 12 can be found at least at:

Page 14, lines 3-5:

"During execution, the test application DUT 602 tests different parts of the software 30, 32, 34, 36, and 38 and primarily the hardware blocks 40, 42, 44, 46, and 48."

Page 14, lines 21-24:

"The test application DUT 602 can access the software stacks 30, 32, 34, 36, and 38, as well as the hardware blocks 40, 42, 44, 46, and 48 via the middleware services layer 28. The hardware blocks 40, 42, 44, 46, and 48 interfaces with the factory test equipment 608 via the measurement interface 606."

Page 15, lines 3-7:

"In accordance with principles of the present invention, the middleware services layer 28 provides for communication with all needed software and hardware elements of the mobile terminal 16 so that specific test software is not necessary during production, development, or service tests to perform the functions of, for example, the hardware blocks 40, 42, 44, 46, and 48."

Page 15, line 20 to page 16, line 2:

In accordance with principles of the present invention, the test application DUT 602 can test both hardware and software of the mobile terminal 16 during the same test process. The need for specific drivers and other software to be written for testing separately from drivers and other software to be used during the lifecycle of the mobile terminal 16 is thus avoided. In addition, the test application DUT 602 may, as noted above, be overwritten upon completion of production testing in the factory or may be left on the mobile terminal 16 so that the test application DUT 602 can be used during maintenance or service of the mobile terminal 16 during the life cycle of the mobile terminal 16.

In view of the foregoing remarks, the Applicants believe all of the claims 1-4, 6-13, 15 and 18-19 currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-4, 6-13, 15 and 18-19.

2.) **Prior Art Not Relied Upon**

In paragraph 4 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicants' disclosure. None of the cited references disclose or suggest the present invention.

CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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